

REMARKS

I. Introduction

Claims 1 to 12 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Allowable Subject Matter

As an initial matter, Applicants note with appreciation the indication of allowable subject matter contained in claims 4, 5 and 7.

III. Rejection of Claims 1, 2, 3, 6 and 8 to 12 Under 35 U.S.C. § 102(e)

Claims 1, 2, 3, 6 and 8 to 12 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2004/0051897 ("the '897 publication"). Applicants respectfully submit that the '897 publication does not anticipate the present claims for at least the following reasons.

As an initial matter, the '897 publication is a national stage application based on PCT International Application No. PCT/JP01/06875, having an international filing date of **August 9, 2001**. PCT International Application No. PCT/JP01/06875 was published in the **Japanese language** on **March 14, 2002** as PCT International Published Patent Application No. WO 02/21824. Since the underlying PCT application, *i.e.*, PCT/JP01/06875, was not published in the **English** language, the '897 publication does not constitute prior art against the present application under 35 U.S.C. § 102(e), or otherwise. Accordingly, it is respectfully submitted that the '897 publication does not anticipate any of the present claims.

Notwithstanding the foregoing, it is respectfully submitted that the '897 publication does not disclose a method for correcting scanning signals of an incremental position transducer having deviations from ideal signals expected by a downstream evaluation unit, as recited by the present claims. In particular, the '897 publication does not disclose the recited features of feeding or linking scanning signals of an incremental position transducer. Indeed, the '897 publication does not pertain at all to incremental position encoders. Rather, the '897 publication pertains to encrypted communications between a color scanner and personal computer in order to protect against forgery and unauthorized use of the color scanner. Thus, it

is respectfully submitted that the '897 publication does not anticipate the present claims for these additional reasons.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

KENYON & KENYON

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By:

Richard L. Mayer *Chh Lin*
Reg. No. 22,490 *HN 42,194*

One Broadway
New York, New York 10004
(212) 425-5288
CUSTOMER NO. 26646